

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 20th day of May, 2013 the City Council of the City of Aransas Pass convened in a Regular Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight Mayor
Vickie Abrego Mayor Pro Tempore
James A. Mills Council Member
Phillip Hyatt Council Member

ABSENT: Billy Ellis Council Member

ADMINISTRATIVE
PERSONNEL PRESENT: Allen Lawrence City Attorney
Sylvia Carrillo City Manager
Yvonne Stonebraker City Secretary

ADMINISTRATIVE
PERSONNEL ABSENT:

STAFF PRESENT: Eric Blanchard Police Chief
Bill Haines Administrative Coordinator/EMC
Paul Alvarado Public Works Director
Rickie Kilgore Fire Chief
Jeff Martin I.T.
Frank Truitt City Inspector
Sandy Roddel Finance
Isai Gonzales Inspection Dept.

OTHERS PRESENT: John Snodgrass, Kirt Ervin, Paul Jette, Betty Collier, Ralph & Karen Gayle, Jim & Alpha Covington, Lee & Genie McLelland, Robert & Patricia Branch, Orfalinda Gomez, Donald & Jeanie Brummett, Ernie & Olivia Torres, Adan Chapa, Raymond & Paula Stone, Capt. Tom Doran, Angus Mathews, Ann Melton, Tensia Keiser, Annita West, Cherry Harris, Mike & Jan Moore, Harold Ashley, David Underbrink, Rosemary Vega, Randy & Jeanne Hunter and Patsy Lawrence.

There may have been others present who did not sign in.

1. **CALL MEETING TO ORDER.**

Mayor Knight called the meeting to order at 7:00 P.M. on May 6, 2013.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Mayor Pro Tem Abrego gave the invocation. Mayor Knight led the Pledge of Allegiance to the United States Flag.

3. **CONSENT AGENDA.**

A. **CONSIDER AND ACT ON MINUTES OF MAY 6, 2013.**

- B. CONSIDER AND ACT ON ORDINANCE NO. 2013-4030 – AN ORDINANCE OF THE CITY OF ARANSAS PASS, TEXAS, AMENDING CHAPTER 29 – UTILITIES, ARTICLE II – WATER AND SEWER SERVICE, SECTION 29-20, SUBSECTION (d) AND, SECTION 29-25, OF THE CODE OF ORDINANCES OF THE CITY OF ARANSAS PASS, TEXAS; PROVIDING A REPEALER CLAUSE; AND AN EFFECTIVE DATE.
- C. CONSIDER AND ACT ON ORDINANCE NO. 2013-4031 – AN ORDINANCE OF THE CITY OF ARANSASPASS, TEXAS, PROVIDING THAT CHAPTER 28 – TRAFFIC OF THE CODE OF ORDINANCES BE AMENDED BY ADDING A SECTION TO BE NUMBERED SEC. 28-25: PROHIBITING JAKE BRAKING/ENGINE BRAKING WITHIN THE CITY LIMITS; AND, PROVIDING A REPEALER CLAUSE; AND, FOR AN EFFECTIVE DATE.

Council Member Mills made a motion to approve the consent agenda. Council Member Hyatt seconded the motion and the motion carried unanimously.

4. CANVASS RETURNS FOR GENERAL ELECTION HELD ON MAY 11, 2013.

Mayor Knight stated he had called for a recount but it does not stop the canvassing of the votes.

The City Council canvassed the returns for the General Election Held on May 11, 2013.

5. CONSIDER AND ACT ON APPROVING RESOLUTION 2013-689 – ORDER DECLARING RESULTS OF CITY OFFICER'S ELECTED. (COUNCIL MEMBER PLACE 1 AND COUNCIL MEMBER PLACE 3)

Council Member Hyatt made a motion to approve Resolution 2013-689 – Order declaring results of City Officer's elected. (Council Member Place 1 and Council Member Place 3) Council Member Mills seconded the motion and the motion carried unanimously.

6. CONSIDER AND ACT ON APPROVING PRESENTATION OF RESOLUTION 2013-690 – FOR APPRECIATION TO OUTGOING COUNCIL MEMBER PLACE 1 – JAMES MILLS.

Council Member Mills made a motion to approve the presentation of Resolution No. 2013-690 – for appreciation to outgoing Council Member Place 1 – James Mills. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

7. OATH OF OFFICE AND SWEARING IN ELECTED OFFICIALS COUNCIL MEMBER PLACE 1 – RAMIRO GOMEZ AND COUNCIL MEMBER PLACE 3 – PHILLIP HYATT.

City Attorney Allen Lawrence gave the Oath of Office and Swore in Elected Officials Council Member Place 1 – Ramiro Gomez and Council Member Place 3 – Phillip Hyatt.

8. CONSIDER AND ACT ON PRESENTATION OF CERTIFICATE OF ELECTED OFFICIALS RAMIRO GOMEZ AND PHILLIP HYATT AND SEATING IN THEIR PLACES.

Mayor Knight presented Certificates of Elected Officials to Ramiro Gomez and Phillip Hyatt and Seated them in their place.

9. CONSIDER AND ACT ON APPOINTING MAYOR PRO TEM FOR ENSUING YEAR.

Mayor Pro Tem Abrego made a motion to appoint Council Member Hyatt Mayor Pro Tem for ensuing year. Council Member Gomez seconded the motion and the motion carried unanimously.

10. PUBLIC HEARING ON SUBSTANDARD BUILDING, LOTS 31-32, BLOCK 458, 402 S HOUSTON, THE JACKSON HOTEL, MR. FRANK A. HOOVER, FOR THE PURPOSE

OF A FINAL DETERMINATION OF THE VIOLATIONS AND REPAIRS REQUIRED TO MEET CITY CODE LOCATED IN CHAPTER 5 - BUILDINGS AND CONSTRUCTION, ARTICLE V - SUBSTANDARD BUILDINGS, SEC. 5-73 REGARDING ELIMINATION OF SUBSTANDARD CONDITIONS OF THE CITY OF ARANSAS PASS CODE OF ORDINANCES.

City Attorney Allen Lawrence opened the Public Hearing at 7:10 P.M. He asked if there was anyone present to speak in favor of this request.

City Inspector Frank Truitt stated the Jackson Hotel had been in the City of Aransas Pass a very long time. He stated, after the fire, the Jackson Hotel needed to be demolished. He stated the owners could not repair the building as it sits.

City Attorney Lawrence asked if there was anyone present to speak against this request.

Ms. Cherry Hoover Harrison, daughter of Mr. Frank Hoover, stated her and her mother had been sick and it's been slow getting the building down. She stated she would have volunteers to help her but the volunteers would not be here until July. She stated the I.R.S. had a lien on the property and that she could not sell the property.

City Attorney Lawrence asked if there was anyone else who would like to speak in favor or against this request.

There were none.

City Attorney Lawrence closed the Public Hearing at 7:16 P.M. He asked if there was anyone present to speak in favor of this request.

11. **CONSIDER AND ACT ON SUBSTANDARD BUILDING, LOTS 31-32, BLOCK 458, 402 S HOUSTON, THE JACKSON HOTEL, MR. FRANK A. HOOVER, FOR THE PURPOSE OF A FINAL DETERMINATION OF THE VIOLATIONS AND REPAIRS REQUIRED TO MEET CITY CODE LOCATED IN CHAPTER 5 - BUILDINGS AND CONSTRUCTION, ARTICLE V - SUBSTANDARD BUILDINGS, SEC. 5-73 REGARDING ELIMINATION OF SUBSTANDARD CONDITIONS OF THE CITY OF ARANSAS PASS CODE OF ORDINANCES.**

Council Member Abrego made a motion to approve Substandard Building, Lots 31-32, Block 458, 402 S Houston, the Jackson Hotel, Mr. Frank A. Hoover, for the purpose of a final determination of the violations and repairs required to meet City Code located in Chapter 5 - Buildings and Construction, Article V - Substandard Buildings, Sec. 5-73 Regarding Elimination of Substandard Conditions of the City of Aransas Pass Code of Ordinances. Attorney Lawrence stated approving this motion would enact a 30 day Notice to Demolish. He stated the City would go in and demolish the property and remove the debris. Mayor Pro Tem Hyatt seconded the motion and the motion carried unanimously.

12. **PUBLIC HEARING ON REQUEST OF DAN MOORE FOR A CONDITIONAL USE PERMIT FOR A BOAT AND RV STORAGE FACILITY. THE PROPERTY IS DESCRIBED AS 472 X 620 W/2 TR LANDBLOCK 1 /MCCAMPBELL SUBDIVISION SUR, 5.02 ACRES. W. WHEELER AVE, ARANSAS PASS, TEXAS, SAN PATRICIO COUNTY. THE PROPERTY IS ZONED (GB) GENERAL BUSINESS DISTRICT.**

City Attorney Lawrence opened the Public Hearing at 7:19 P.M. He asked if there was anyone present to speak in favor of this request.

Mr. Dan Moore stated that he would like to build an R.V. and Boat Storage facility. He stated that he did not want to invest a lot of money into this business with only a Conditional Use Permit. He stated he would like a permanent use.

City Manager Carrillo stated the Zoning Use Table was under review and the City would be reviewing the 2012 Building Codes for City Council adoption. She stated her recommendation for City Council was a 2 Year Conditional Use Permit.

Council Member Abrego asked if she could see the proposed plans before City Council made a motion for this request.

Attorney Lawrence asked if there was anyone else who would like to speak in favor or against this request.

There were none.

Attorney Lawrence closed the Public Hearing at 7:27 P.M.

13. CONSIDER AND ACT ON REQUEST OF DAN MOORE FOR A CONDITIONAL USE PERMIT FOR A BOAT AND RV STORAGE FACILITY. THE PROPERTY IS DESCRIBED AS 472 X 620 W/2 TR LANDBLOCK 1 /MCCAMPBELL SUBDIVISION SUR, 5.02 ACRES. W. WHEELER AVE, ARANSAS PASS, TEXAS, SAN PATRICIO COUNTY. THE PROPERTY IS ZONED (GB) GENERAL BUSINESS DISTRICT.

Council Member Abrego made a motion to table Agenda Item No. 13. Mayor Pro Tem Hyatt seconded the motion and the motion carried with Council Member Gomez voting no.

14. CONSIDER AND ACT ON CONTRACT WITH UTILITY SERVICES FOR REHABILITATION OF THE ABOVE GROUND WATER STORAGE TANKS AS WELL AS THE ELEVATED WATER TANK.

Mr. John Snodgrass and Mr. Paul Jette, Utility Service Co., Inc., gave a powerpoint presentation on the rehabilitation of the City's water tanks. They discussed full renovation on each tank.

Mayor Pro Tem Hyatt made a motion to approve contract with Utility Services for rehabilitation of the above ground water storage tanks as well as the elevated water tank. Council Member Abrego seconded the motion and the motion carried unanimously.

15. CONSIDER AND ACT ON APPROVING A STREET LIGHTING SERVICE SETTLEMENT AGREEMENT BETWEEN CITY OF ARANSAS PASS AND AEP TEXAS CENTRAL COMPANY.

Mr. Harold Ashley, AEP Texas Central Company, stated after the company's audit, it was discovered that AEP Texas Central Company owed the City of Aransas Pass \$4,379.51.

Council Member Abrego made a motion to approve a street lighting service settlement agreement between the City of Aransas Pass and AEP Texas Central Company. Mayor Pro Tem Hyatt seconded the motion and the motion carried unanimously.

16. CONSIDER AND ACT ON APPROVING MAINTENANCE CONTRACT WITH ENRIQUE "LEO" GONZALES FOR THE CITY OF ARANSAS PASS AND ARANSAS PASS POLICE DEPARTMENTS MOBILE APP'S NOT TO EXCEED \$7,000 A YEAR.

City Manager Carrillo stated the City of Aransas Pass and the Aransas Pass Police Department launched a new APP for the City. She stated it was designed by Mr. Leo Gonzales who designed the Army Depot's APP.

Council Member Abrego made a motion to approve Maintenance Contract with Enrique "Leo" Gonzales for the City of Aransas Pass and Aransas Pass Police Departments mobile APP's not to exceed \$7,000.00 a year. Mayor Pro Tem Hyatt seconded the motion and the motion carried unanimously.

17. CONSIDER AND ACT ON GENERAL FUND BUDGET AMENDMENT NUMBER 2013-001.

City Manager Carrillo stated Budget Amendment Number 2013-001 was regarding the \$5,000.00 given to Mr. Jason Gilden to hold a Junior Olympics Boxing Tournament on May 17, 18 and 19, 2013 at A.C. Blunt Middle School.

Mayor Pro Tem Hyatt made a motion to approve General Fund Budget Amendment Number 2013-001. Council Member Gomez seconded the motion and the motion carried unanimously.

18. CONSIDER AND ACT ON SETTING THE POSTED SPEED LIMIT FOR NORTH AVENUE A BETWEEN WHEELER AND OAK LANE FROM 30 MPH TO 40 MPH.

Mayor Pro Tem Hyatt made a motion to set the posted speed limit for North Avenue A between Wheeler and Oak Lane from 30 MPH to 40 MPH. Council Member Gomez seconded the motion and the motion carried unanimously.

19. CITY MANAGER UPDATES.

City Manager Carrillo stated Conn Brown Harbor park improvements were not ready to be accepted. She stated Rock Engineering would be testing the parking lot base, bathroom entrance was not ADA compliant, fish cleaning table still held water and boat launches were still a problem.

20. CITIZENS COMMENTS.

Capt. Tom Doran, Handsome Sailor Yacht Charters, announced a grand opening of his palapa located on Conn Brown Harbor Saturday, May 25, 2013 from 7pm to 9pm.

21. ADJOURNMENT OF MEETING.

Mayor Pro Tem Hyatt made a motion to adjourn the meeting. Council Member Gomez seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 8:36 P.M.

Phillip Hyatt, Mayor Pro Tem

ATTEST:

Yvonne Stonebraker, City Secretary